

## **EXHIBIT 2**

**ELECTRONICALLY FILED**

Superior Court of California,  
County of Alameda

**11/22/2021 at 03:36:01 PM**

By: Suzanne Pesko, Deputy Clerk

Christopher J. Boman (SBN 198798)  
E-Mail: [cboman@fisherphillips.com](mailto:cboman@fisherphillips.com)  
Boris Sorsher (SBN 251718)  
E-Mail: [bsorsher@fisherphillips.com](mailto:bsorsher@fisherphillips.com)  
FISHER & PHILLIPS LLP  
2050 Main Street, Suite 1000  
Irvine, California 92614  
Telephone: (949) 851-2424  
Facsimile: (949) 851-0152

Olatomiwa T. Aina (SBN 325566)  
E-Mail: [taina@fisherphillips.com](mailto:taina@fisherphillips.com)  
FISHER & PHILLIPS LLP  
One Embarcadero Center, Suite 2050  
San Francisco, California 94111  
Telephone: (415) 490-9000  
Facsimile: (415) 490-9001

Attorneys for Defendant  
Exel Inc. *dba* DHL SUPPLY CHAIN (erroneously sued  
as "DHL SUPPLY CHAIN")

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF ALAMEDA

STEPHEN BRATSET,  
  
Plaintiff,

v.

DHL SUPPLY CHAIN, a business entity  
from unknown and DOES 1-50,  
  
Defendant.

CASE NO.: [RG21110598]  
*[Unlimited Jurisdiction]*

*Assigned for all purposes to the Honorable Julia  
Spain, Dept. 520*

**DEFENDANT EXEL INC. DBA DHL  
SUPPLY CHAIN'S C.C.P. SECTION 170.6  
PEREMPTORY CHALLENGE;  
DECLARATION OF CHRISTOPHER J.  
BOMAN IN SUPPORT THEREOF**

Complaint Filed: 08/24/21  
Trial Date: None Set

///

///

///

///

///

TO THE COURT, AND TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

**EXEL INC. DBA DHL SUPPLY CHAIN'S C.C.P. SECTION 170.6 PEREMPTORY CHALLENGE;  
DECLARATION OF CHRISTOPHER J. BOMAN IN SUPPORT THEREOF**

1 Pursuant to California *Code of Civil Procedure* Section 170.6, Defendant EXEL INC.  
2 *dba* DHL SUPPLY CHAIN (*erroneously named as "DHL"*) hereby moves to disqualify the  
3 Honorable Julia Spain from presiding over this action. This motion is support by the declaration  
4 of Christopher J. Boman.

5  
6 DATE: November 22, 2021

FISHER & PHILLIPS LLP

7  
8  
9 By:



10 CHRISTOPHER J. BOMAN  
11 BORIS SORSHER  
12 OLATOMIWA T. AINA Attorneys for Defendant  
13 EXEL INC. *dba* DHL SUPPLY CHAIN  
14 (*erroneously named as "DHL"*)  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**DECLARATION OF CHRISTOPHER J. BOMAN**

I, CHRISTOPHER J. BOMAN, hereby declare and state as follows:

1. I am an attorney at law duly licensed to practice before all courts in the State of California. I am a partner with Fisher & Phillips LLP, counsel of record for Defendant EXEL INC. *dba* DHL SUPPLY CHAIN (*erroneously named as "DHL"*) ("Defendant"). Based on my personal knowledge, I assert the facts set forth herein and, if called as a witness, I could and would competently testify thereto.

2. The Honorable Julia Spain, the judge to whom this action has been assigned for all purposes, including trial, is prejudiced against Defendant and/or its counsel, or the interests of Defendant or its counsel, so that they cannot, or they believe that they cannot, have a fair and impartial trial or hearing before such judge.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

Executed on November 22, 2021, at Irvine, California.



---

CHRISTOPHER J. BOMAN  
Declarant

**PROOF OF SERVICE**  
**(CCP §§1013(a) and 2015.5)**

I, the undersigned, am at least 18 years old and not a party to this action. I am employed in the County of San Francisco with the law offices of Fisher & Phillips LLP and its business address is One Embarcadero Center, Suite 2050, San Francisco, California 94111.

On **November 22, 2021**, I served the following document(s) **DEFENDANT EXEL INC. DBA DHL SUPPLY CHAIN'S C.C.P. SECTION 170.6 PEREMPTORY CHALLENGE; DECLARATION OF CHRISTOPHER J. BOMAN IN SUPPORT THEREOF** on the person(s) listed below by placing ☐ *the original* ☒ *a true copy* thereof enclosed in sealed envelope(s) addressed as follows:

Michael J. Reed Attorney at Law 60 Creek Tree Lane Alamo, California 94507	Attorney for Plaintiff STEPHEN BRATSET  T: (925) 743-8353   F: (925) 743-8353 E: <a href="mailto:mreed10202@aol.com">mreed10202@aol.com</a>
---	---

- ☒ **[by ELECTRONIC SERVICE]** - Based on a court order or an agreement of the parties to accept service by electronic transmission, I electronically served the document(s) to the person(s) at the electronic service address(es) listed above.
- ☒ **[by MAIL]** - I enclosed the document(s) in a sealed envelope or package addressed to the person(s) whose address(es) are listed above and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in San Francisco California, in a sealed envelope with postage fully prepaid.
- ☐ **[by OVERNIGHT DELIVERY]** - I enclosed the document(s) in an envelope or package provided by an overnight delivery carrier and addressed to the person(s) at the address(es) listed above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight carrier.
- ☐ **[by PERSONAL SERVICE]** - I delivered the document(s) to the person(s) at the address(es) listed above by (1) (a) personal delivery, or (b) by leaving the documents in an envelope/package with an individual in charge of the office, or (c) by leaving them in a conspicuous place in the office between the hours of 9:00 a.m. and 6:00 p.m., or (2) by messenger – a copy of the Messenger Declaration is attached.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed **November 22, 2021**, at San Francisco, California.

Billie E. Patterson

Print Name

By:

*Billie E. Patterson*

Signature

17165.1154